

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

<b>ROBERT F. FRANCIS, II, on behalf of himself and of all others similarly situated,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>AT&amp;T MOBILITY LLC f/k/a CINGULAR WIRELESS LLC,</b>  <b>Defendants.</b>	<b>Case No 2:07cv14921</b>  <b>Hon. George Caram Steeh</b>
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~~**STIPULATED ORDER SETTING DISCOVERY  
AND BRIEFING SCHEDULE**~~

WHEREAS, Plaintiff Robert F. Francis, II and Defendant AT&T Mobility LLC, by their undersigned counsel, after conferring on a mutually agreeable schedule for discovery concerning the enforceability of the arbitration agreement at issue and for briefing on the pending Plaintiff's Motion to Declare Class Action Waiver Unlawful and Defendant AT&T Mobility LLC's Motion to Compel Arbitration and to Dismiss Action, hereby stipulate to the following:

~~(1) Plaintiff's Reply Brief in support of his Motion to Declare Class Action Waiver Unlawful shall be due on March 25, 2008;~~

(2) Defendant shall respond, including any objections, to Plaintiff's First Set of Interrogatories and First Set of Requests to Admit no later than March 25, 2008;

(3) Defendant shall respond, including any objections, to Plaintiff's First Requests for Production of Documents and shall designate all witnesses from whom Defendant shall produce testimony in support of its Motion to Compel Arbitration or

in opposition to Plaintiff's Motion to Declare Class Action Waiver Unlawful no later than April 15, 2008 and shall supply to Plaintiff the Declarations from those witnesses to be filed in support or opposition;

(4) Plaintiff shall be permitted to conduct depositions of Defendant's designated witnesses in opposition to Plaintiff's Motion to Declare Class Action Waiver Unlawful and in support of Defendant's Motion to Compel Arbitration through May 31, 2008;

(5) Plaintiff shall designate all witnesses from whom Plaintiff intends to produce testimony in opposition to Defendant's Motion to Compel Arbitration or in support of Plaintiff's Motion to Declare Class Action Waiver Unlawful no later than May 31, 2008, and shall supply to Defendant the Declarations from those witnesses to be filed in support or opposition;

~~(6) Plaintiff's Response to Defendant's Motion to Compel Arbitration shall be filed on or before June 17, 2008;~~

(7) Defendant shall be permitted to conduct discovery concerning the enforceability of the arbitration agreement at issue, including depositions of Plaintiff and Plaintiff's designated witnesses, from June 17, 2008 through July 31, 2008;

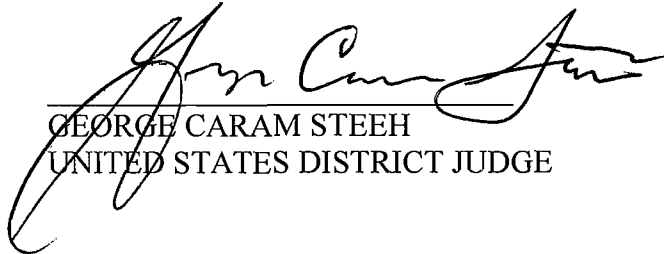
~~(8) Defendant's Reply Brief in support of its Motion to Compel Arbitration shall be filed on or before August 21, 2008.~~

~~(9) The hearing previously scheduled for May 1, 2008 is hereby rescheduled for a date and time on or after August 28, 2008 to be determined by the Court.~~

NOW THEREFORE, IT IS ORDERED THAT the stipulated discovery and briefing schedule on the pending Plaintiff's Motion to Declare Class Action Waiver Unlawful and Defendant AT&T Mobility LLC's Motion to Compel Arbitration and to Dismiss Action is hereby adopted. **AS MODIFIED**

**SO ORDERED.**

Dated: 3/20/08

  
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GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

IT IS SO STIPULATED.

Dated: March 18, 2008

/s/ E. Powell Miller  
E. Powell Miller (P39487)  
Marc L. Newman (P51393)  
Ann L. Miller (P43578)  
THE MILLER LAW FIRM, P.C.  
950 West University Drive, Suite 300  
Rochester, Michigan 48307  
(248) 841-2200  
[epm@millerlawpc.com](mailto:epm@millerlawpc.com)

/s/ W. Kelly Lundrigan w/ consent  
Alan J. Statman  
Jeffrey P. Harris  
W. Kelly Lundrigan  
STATMAN, HARRIS & EYRICH, LLC  
441 Vine Street  
3700 Carew Tower  
Cincinnati, Ohio 45202  
(513) 621-2666  
[jharris@statmanharris.com](mailto:jharris@statmanharris.com)

*Trial Attorneys for Plaintiff and Plaintiff Class*

/s/ Toby A. White w/ consent  
Michelle Thurber Czapski  
Toby A. White  
DICKINSON WRIGHT PLLC  
500 Woodward Avenue, Suite 4000  
Detroit, MI 48226-3425

(313) 223-3636  
[twhite@dickinsonwright.com](mailto:twhite@dickinsonwright.com)

/s/ Archis A. Parasharami w/ consent  
Evan M. Tager  
Archis A. Parasharami  
MAYER BROWN LLP  
1909 K. Street NW  
Washington, D.C. 20006  
(202) 263-3000  
[aparasharami@mayerbrown.com](mailto:aparasharami@mayerbrown.com)

*Trial Attorneys for Defendant AT&T Mobility LLC  
f/k/a Cingular Wireless LLC*